

REMARKS

The Previous Section 102(e) Rejections

Previously, the claims were rejected based on U.S. Patent No. 6,246,376 to Bork et al. ("Bork"). This rejection is respectfully traversed. It is respectfully submitted that the claims are not anticipated by Bork for at least the following reasons.

Each of the claims of the present invention includes the features of, among other things, (a) detecting a plurality of Bluetooth signals, where each signal contains GPS coordinates of at least one nearby device; and (b) selecting a nearby device associated with one of the detected signals to communicate with, based on the received GPS coordinates. Said another way, the claims of the present invention include not only the reception of location information from nearby devices (e.g., GPS co-ordinates) but also the selection of one of the devices based on such co-ordinates. It is respectfully submitted that Bork does not disclose such a method or device.

Bork is concerned with locating a specific, target device; not the selection of a device from perhaps a plurality of devices, as in the claims of the present invention. In particular, Bork discloses locating a target device based on identification (ID) information (see column 5, lines 49-55 and column 7, lines 23-25) which may be sent using a Bluetooth signal. In contrast, the claims of the present invention allow for the selection of a nearby device using only GPS co-ordinates.

Accordingly, because Bork does not disclose each and every element of the claimed inventions, Bork cannot anticipate claims 3-5, 19 and 30-37 of the present invention.

In addition, Applicants note that claims 30 and 33 include the features of displaying the location of each nearby device and the selection of a nearby device based on such a display. In contrast, Bork neither discloses such a display nor such a selection. Accordingly, applicants respectfully submit that

Bork cannot anticipate claims 30 and 33 (and any dependent claims) for the reasons just stated and for the reasons stated above.

Accordingly, applicants respectfully request withdrawal of the rejections and allowance of claims 3-5, 19 and 30-37.

The Previous Section 103 Rejections

Previously claim 3 was rejected under 35 U.S.C. §103(a) as being unpatentable over Bork in view of Itoh et al., U.S. Patent No. 5,684,703 ("Itoh"),

Because nothing in Itoh's disclosure makes up for the deficiencies set forth above with respect to Bork, it is respectfully submitted that claim 3 is patentable over a combination of Bork and Itoh for the reasons set forth above.

Accordingly, applicants respectfully request withdrawal of the pending obviousness rejection and allowance of claim 3.

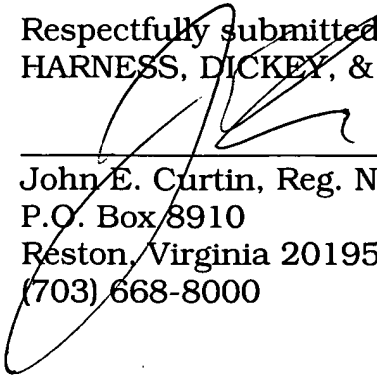
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John E. Curtin at the telephone number of the undersigned below.

In the event this Response does not place the present application in condition for allowance, applicant requests the Examiner to contact the undersigned at (703) 668-8000 to schedule a personal interview.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,
HARNESS, DICKEY, & PIERCE, P.L.C.

By



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